

**TRANSLATION**

**PATENT COOPERATION TREATY**

**PCT**

**INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>346917/D21749</b>	<b>FOR FURTHER ACTION</b>	See Form PCT/IPEA/416
International application No. <b>PCT/FR2004/003171</b>	International filing date ( <i>day/month/year</i> ) <b>09.12.2004</b>	Priority date ( <i>day/month/year</i> ) <b>10.12.2003</b>
International Patent Classification (IPC) or national classification and IPC <b>B60J5/14</b>		
Applicant <b>PEGUFORM FRANCE</b>		

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.	
2.	This REPORT consists of a total of <u>6</u> sheets, including this cover sheet.	
3.	This report is also accompanied by ANNEXES, comprising: a. <input checked="" type="checkbox"/> ( <i>sent to the applicant and to the International Bureau</i> ) a total of <u>3</u> sheets, as follows: <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> ( <i>sent to the International Bureau only</i> ) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).	
4.	This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application	

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/FR2004/003171

## Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-8 \_\_\_\_\_ as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the claims:
- nos. \_\_\_\_\_ as originally filed/furnished
- nos.\* \_\_\_\_\_ as amended (together with any statement) under Article 19
- nos.\* 1-16 \_\_\_\_\_ received by this Authority on 13.02.2006 with letter of 09.02.2006
- nos.\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the drawings:
- sheets 1/3-3/3 \_\_\_\_\_ as originally filed/furnished
- sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/FR2004/003171

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims <u>1-16</u>	YES
		Claims _____	NO
	Inventive step (IS)	Claims <u>1-16</u>	YES
		Claims _____	NO
	Industrial applicability (IA)	Claims <u>1-16</u>	YES
		Claims _____	NO
2.	Citations and explanations (Rule 70.7)		
	Reference is made to the following documents:		
	D1: EP-A-1 270 297 (PEUGEOT CITROEN SA) 2 January 2003 (2003-01-02)		
	D2: GB-A-2 121 855 (ROLFLEX DOORS LIMITED) 4 January 1984 (1984-01-04)		
	D3: DE 31 04 048 A (CLAUSS MARKISEN) 19 August 1982 (1982-08-19)		
	D4: US-A-3 967 671 (BIBEAULT LIONEL J ET AL) 6 July 1976 (1976-07-06)		
	D5: FR-A-2 643 938 (SNARLI ROGER) 7 September 1990 (1990-09-07)		
	D6: DE 38 28 663 A (MACHILL ROLF) 23 March 1989 (1989-03-23)		
	D7: WO 92/14900 A (CLOPAY CORP) 3 September 1992 (1992-09-03)		
	D8: US-A-2 886 481 (DEWEY SWAN GEORGE) 12 May 1959 (1959-05-12)		
	<u>2.1 Independent claim 1</u>		
	<u>2.1.1 Novelty</u>		
	<b>D2</b> , which is considered to be the prior art closest to the subject matter of claim 1, describes:		

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<ul style="list-style-type: none"><li>- a vehicle coachwork part, particularly a tailgate (roller shutter), including a body (sheet 12) and a metal layer (panel structure 10) visible from an external side of the part.</li></ul> <p>The subject matter of claim 1 differs from this known coachwork part in that:</p> <ul style="list-style-type: none"><li>- the body includes reinforcing fibres.</li></ul> <p>Since the subject matter of claim 1 is novel over the prior art as defined in the regulations (PCT Rule 64(1) to (3)), the present application appears to meet the requirements of PCT Article 33(2).</p> <p><u>2.1.2 Inventive step</u></p> <p>The problem that the present invention is intended to solve can be considered to be that of reinforcing a coachwork part.</p> <p><b>D2</b>, which is considered to be the prior art closest to the subject matter of claim 1, describes a tailgate reinforced with a metal layer.</p> <p><b>D1</b> describes a fibre-reinforced plastic tailgate.</p> <p>However, a person skilled in the art would not combine the two reinforcing systems to obtain a reinforced part without exercising inventive skill, since the tailgate is effectively reinforced either with the metal layer or with the fibre-reinforced plastic.</p> <p>Consequently, the solution proposed in claim 1 of the present application appears to meet the requirements of PCT Article 33(3).</p>

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p data-bbox="298 348 781 384"><u>2.2 Independent claim 7</u></p> <p data-bbox="298 422 553 457"><u>2.2.1 Novelty</u></p> <p data-bbox="298 495 1409 583"><b>D2</b>, which is considered to be the prior art closest to the subject matter of claim 7, describes:</p> <ul data-bbox="298 621 1333 657" style="list-style-type: none"><li>- a method for producing a vehicle coachwork part.</li></ul> <p data-bbox="298 695 1317 783">The subject matter of claim 7 differs from this known production method in that:</p> <ul data-bbox="298 821 1451 1003" style="list-style-type: none"><li>- a layer of the body and a metal layer are stacked in a forming mould so that the metal layer is visible from an external side of the part, and a forming operation is then performed on the stack in the mould.</li></ul> <p data-bbox="298 1041 1430 1224">Since the subject matter of claim 7 is novel over the prior art as defined in the regulations (PCT Rule 64(1) to (3)), the present application appears to meet the requirements of PCT Article 33(2).</p> <p data-bbox="298 1262 776 1297"><u>2.2.2 Inventive step</u></p> <p data-bbox="298 1335 1430 1476">The problem that the present invention is intended to solve can be considered to be that of producing a coachwork part that is incorporated in the aesthetics of the vehicle.</p> <p data-bbox="298 1514 1451 1843">The solution to this problem, as proposed in claim 7 of the present application, is considered to involve an inventive step (PCT Article 33(3)), since none of the cited documents describes production methods including a forming operation, and it is not obvious for a person skilled in the art to include such an operation in one of the methods described in said documents to solve the stated problem.</p> <p data-bbox="298 1881 1089 1917"><u>2.3 Dependent claims 2 to 6 and 8 to 16</u></p>

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

Dependent claims 2 to 6 and 8 to 16, which contain modifications or improvements to the invention according to claims 1 and 7, meet the requirements of PCT Article 33(2) to (4).

#### 2.4 General observations

The expression "the adhesive-backed sheet metal referred to as "solbond" distributed by the company Arcelor" appears on page 5 of the description. The use of proper names or similar words to refer to materials or articles is undesirable insofar as such words merely denote origin or where they relate to a range of different products. If such a word is used, then in order to satisfy the requirements of Article 5, the product should normally be sufficiently identified, without reliance on the word, to enable the invention to be carried out by a person skilled in the art. However, where such words have become internationally accepted as standard descriptive terms and have acquired a precise meaning (for example, "Bowden" cable, "Belleville" washer), they may be allowed without further identification of the product to which they relate. (PCT/GL/ISPE1, 4.25).